

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

STEMCELLS, INC. *et al.*,

Plaintiffs,

v.

NEURALSTEM, INC. *et al.*,

Defendants.

Civil Action No. 8:06-cv-01877-AW

Member Cases:

8:08-cv-02664-AW

8:08-cv-01173-AW

ORDER

In accordance with the accompanying Memorandum Opinion, IT IS this **6th day of April, 2012**, by the U.S. District Court for the District of Maryland, hereby **ORDERED**:

1. That the Court **GRANTS** Defendants' Motion for Leave to File a First Amended Answer and Counterclaims (Doc. No. 198);
2. That the Court **DENIES AS MOOT** Defendants' Motion to Dismiss (Doc. No. 202);
3. That the Court **DENIES** Plaintiffs' Motion for Summary Judgment on Standing (Doc. No. 231);
4. That the Court **DENIES** Defendants' Cross-Motion for Partial Summary Judgment on Standing (Doc. No. 237);
5. That the Court **HOLDS IN ABEYANCE** Plaintiffs' Motion for Reconsideration of the Court's Claim Construction (Doc. No. 256);

6. That the Clerk **TERMINATE** Doc. No. 256; the Court will reactive this Motion if and when it becomes necessary to decide it;

7. That the Court **GRANTS** Defendants' Motion to Supplement the Record in Support of their Cross-Motion for Partial Summary Judgment on Standing (Doc. No. 291);

8. That the Court **GRANTS** Plaintiffs' Cross-Motion to Supplement the Record in Support of their Motion for Summary Judgment on Standing (Doc. No. 299);

9. That the Parties **PROPOSE** a joint scheduling order for the purpose of conducting any necessary additional discovery related to the unresolved question of standing; the Court directs the Parties to submit their joint proposed scheduling order **within ten (10) days** of the date of this Order; the Court further directs the Parties to itemize in the joint proposed scheduling order the discovery, if any, they still need to conduct; if the Parties need to conduct more discovery, and cannot agree on what discovery to conduct, the Parties may file motions to compel; if the Parties file such motions to compel, the Court authorizes Magistrate Judge William Connelly to resolve such motions; in light of the long amount of time the case has been in discovery, as well as the Parties' demonstrated litigiousness over discovery matters, the Court urges the Parties to work cooperatively toward a mutually beneficial resolution of the question regarding what, if any, discovery remains to be conducted; as the Court has stated previously, this case is dangerously close to devolving into an unwieldly fishing expedition;

10. That the Clerk of the Court **SEAL** the accompanying Memorandum Opinion;

11. That the Parties **SHOW CAUSE** why the Court should not lift the seal on the accompanying Memorandum Opinion; if the Parties wish to show such cause, they must (1) file memoranda **within fourteen (14) days** of the date of this Order not to exceed ten (5) pages in

length and (2) propose a redacted version of the Memorandum Opinion with redactions no greater than necessary to protect the Parties' purportedly confidential information;

12. That, when supplemental discovery on the question of standing is complete, the Parties **FILE** a notice indicating the same, whereupon the Court will confer with the Parties by way of developing a supplemental briefing schedule on the question of standing; AND

13. That the Clerk of the Court transmit a copy of this Order to all counsel of record.

April 6, 2012

Date

/s/

Alexander Williams, Jr.
United States District Judge